

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

WALLACE MONTGOMERY, et al.,)
)
)
Plaintiffs,)
)
)
v.) **CIVIL ACTION NO.: CV 2:06-cv-880-WKW**
)
)
UNITED STATES OF AMERICA,)
)
)
Defendant.)

PLAINTIFFS' LIST OF DEPOSITION DESIGNATIONS

COME NOW, the plaintiffs, Wallace Montgomery and Phyllis Montgomery, by and through their counsel of record, and pursuant to this Court's Scheduling Order, submit this list of deposition designations for the trial of this case:

DEPOSITION TESTIMONY - Dr. C. Richard Cummings, Jr.

- Page 6, Line 19 through Page 17, Line 17
- Page 20, Line 1 through Page 21, Line 1
- Page 30, Line 1 through Page 31, Line 1
- Page 36, Line 4 through Line 7
- Page 37, Line 15 through Page 39, Line 3
- Page 40, Line 22 through Page 43, Line 22

DEPOSITION TESTIMONY - Dr. David Covall

- Page 5, Line 9 through Page 46, Line 20
- Page 80, Line 22 through Page 81, Line 13
- Page 82, Line 25 through Page 86, Line 8

Plaintiffs reserve the right to introduce the deposition testimony of any witness listed in its designated witness list should a witness become unavailable or otherwise unable to attend trial due to the circumstances set forth in Federal Rules of Civil Procedure 32(a)(3)(A)-(E).

Plaintiffs also reserve the right to designate portions of those depositions for which we have not received transcripts, including but not limited to Dr. Thomas Moore, defendant's independent medical examiner for Wallace Montgomery, and any depositions necessary to prove medical records/bills.

Respectfully submitted,

s/ J. CALLEN SPARROW

J. Callen Sparrow (ASB-4515-R79J)
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of January, 2008, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following parties:

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